

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SEP 24 2001
CLERK, U.S. DISTRICT COURT
By [Signature] Deputy

KEITH R. BURKINS #1013686, §

Plaintiff, §

v.

§ 3:00-CV-2377-M

ROGER A. RUDLOFF, et al., §

Defendants. §

PLAINTIFF'S MOTION FOR LEAVE TO
AMEND

TO THE HONORABLE JUDGE OF SAID COURT:

Please take notice, that COMES NOW, KEITH R. BURKINS, Plaintiff, in the above styled and numbered cause, and files this Plaintiff's Motion for Leave to Amend his Complaint pursuant to the Rules Civil procedure, Rule 15(a), 15.(1). In Support thereof Plaintiff would present unto this Honorable Court the following:

STATEMENT OF SUBJECT MATTER AND JURISDICTION

This Honorable Court has Jurisdiction to entertain this Motion for Leave to Amend pursuant to the Federal Rules of Civil Procedure Rule (a).

MOTION FOR LEAVE TO AMEND

Petitioner ASK this Honorable Court for Leave to Amend The City of Dallas, and Chief of police Terrell Bolton to his EXcessive Force Claim against Officer Roger A. Rudloff, IN Support Thereof plaintiff would present unto this Honorable Court the following.

33

Supervisory Official

The City of Dallas, and Chief of police Terrell Bolton Knew that officer Roger A. Rudloff had (6) six prior allegations for excessive force or Police Brutality, committing violent acts indicting A conscious disregard for the lives, safety of others.

A Supervisory official May be held liable Under Section 1983 for the Wrongful acts of a Subordinate "When [the Supervisory official] breaches a duty imposed by State or local law.

The City of Dallas, and Chief of police Terrell Bolton allegedly Breached their duties to Control a police man's Know propensity for improper use of force pattern activity has elements of Brutality, violence, conscious Selection of victims vulnerability Such that officer Rudloff poses an undue threat to the Public.

This breach of duty has cause plaintiff's constitutional Injury

CONCLUSION

WHEREFORE, PREMISES CONSIDERED, the plaintiff respectfully Requests that his Motion for leave to Amend his Complaint pursuant to the Rules of Civil procedure, Rule 15.(2), 15.(1) be granted.

RELIEF REQUESTED

Plaintiff would like to be compensated 1 Million for Pain and Suffering / 1 Million future pain and Suffering / 1 Million Mental anguish and Humiliation / 40 thousands loss of income.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

KEITH B. BURKINS *1013686
Plaintiff

v.

ROGER A. RUDLOFF et. al.,
Defendant

§
§
§ 3:00-CV-2377-M
§
§
§
§
§

ORDER

Came on this day to be considered Plaintiff's Motion for Leave to Amend,
and the court, after considering The pleadings of the parties filed herein,
is of the opinion that the following order should issue:

It is ORDERED ADJUDGED and Decreed that Plaintiff's Motion for Leave
to Amend. is hereby Granted and the court shall consider Plaintiff's
motion for Leave to Amend.

SIGNED on this 19 day of SEP 2001.

JUDGE PRESIDING

CERTIFICATE OF SERVICE

I Keith B. Burkins do hereby certify that a true and correct copy of the forgoing instrument has been served upon the U.S. District court clerk's office. Northern DISTRICT OF TEXAS 1100 Commerce - RM-14A20 DALLAS TEXAS 75242-1495 and a copy has also been sent to Defendant ROGER A. RUDLOFF office of the Attorney 1999 BRYAN STREET 3470 HARWOOD center DALLAS TEXAS 75201 By the US. postal service on this 19 day of SEP 2001

Keith B. Burkins #1013686
12071 FM. 3522
ABilene T.x. 79601